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# **Fiscal Council**

**Joe Negron, Chair**  
**Fred Brummer, Vice Chair**

**Tuesday, December 6, 2005**  
**212 Knott**

**ACTION PACKET**

# COUNCIL MEETING REPORT

## Fiscal Council

12/6/2005 9:30:00AM

**Location:** Morris Hall (17 HOB)

### Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Joe Negron (Chair)	X		
Loranne Ausley	X		
Gustavo Barreiro	X		
Aaron Bean	X		
Anna Holliday Benson	X		
Kim Berfield	X		
Donald Brown	X		
Frederick Brummer	X		
Don Davis	X		
Nancy Detert	X		
Ron Greenstein	X		
Wilbert Holloway	X		
Stan Mayfield	X		
Sheri McInvale	X		
Joe Pickens	X		
Juan-Carlos Planas	X		
Curtis Richardson	X		
Marco Rubio	X		
John Seiler	X		
David Simmons	X		
Leslie Waters	X		
Juan Zapata	X		
<b>Totals:</b>	<b>22</b>	<b>0</b>	<b>0</b>

Committee meeting was reported out: Tuesday, December 06, 2005 1:09:01PM

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# **COUNCIL MEETING REPORT**

## **Fiscal Council**

**12/6/2005 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**HB 1B : Slot Machine Gaming**

☒ *Temporarily Deferred -*

**Committee meeting was reported out: Tuesday, December 06, 2005 1:09:01PM**

# COUNCIL MEETING REPORT

## Fiscal Council

12/6/2005 9:30:00AM

Location: Morris Hall (17 HOB)

HB 3B CS : Medicaid

☒ Favorable -

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Loranne Ausley		X			
Gustavo Barreiro	X				
Aaron Bean	X				
Anna Holliday Benson	X				
Kim Berfield	X				
Donald Brown	X				
Frederick Brummer	X				
Don Davis	X				
Nancy Detert	X				
Ron Greenstein		X			
Wilbert Holloway	X				
Stan Mayfield	X				
Sheri McInvale		X			
Joe Pickens	X				
Juan-Carlos Planas	X				
Curtis Richardson	X				
Marco Rubio			X		
John Seiler		X			
David Simmons	X				
Leslie Waters	X				
Juan Zapata	X				
Joe Negron (Chair)	X				
Total Yeas: 17		Total Nays: 4			

### Appearances:

HB 3B

Lori Parham (Lobbyist) (State Employee) - Information Only

AARP

200 W College Ave.

Tallahassee FL 32303

Phone: 880-577-5170

3B

Donald Dawkins (Lobbyist) (State Employee) - Information Only

People w/Disabilities

2300 Fairfield Ave

Sarasota FL 34232

Phone: 941-371-7281

HB 3B

Karen Woodall (Lobbyist) - Opponent

FL National Org. for Women

579 E. Call St

Tallahassee FL 32301

Phone: 850-222-7607

Committee meeting was reported out: Tuesday, December 06, 2005 1:09:01PM

# **COUNCIL MEETING REPORT**

## **Fiscal Council**

**12/6/2005 9:30:00AM**

**Location:** Morris Hall (17 HOB)

HB 3B

Alan Levine - Proponent

Agency for Health Care Admin

2727 Mahan Drive

Tallahassee FL 32309

Phone: 850-922-5877

**Committee meeting was reported out: Tuesday, December 06, 2005 1:09:01PM**

**Leagis ®**

Print Date: 12/6/2005 1:16 pm

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# COUNCIL MEETING REPORT

## Fiscal Council

12/6/2005 9:30:00AM

Location: Morris Hall (17 HOB)

HB 15B : Ad Valorem Property Tax Payment Discounts

☒ Favorable With Committee Substitute -

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Loranne Ausley	X				
Gustavo Barreiro	X				
Aaron Bean	X				
Anna Holliday Benson	X				
Kim Berfield	X				
Donald Brown	X				
Frederick Brummer	X				
Don Davis	X				
Nancy Detert	X				
Ron Greenstein	X				
Wilbert Holloway	X				
Stan Mayfield			X		
Sheri McInvale	X				
Joe Pickens	X				
Juan-Carlos Planas	X				
Curtis Richardson	X				
Marco Rubio			X		
John Seiler	X				
David Simmons	X				
Leslie Waters	X				
Juan Zapata	X				
Joe Negron (Chair)	X				
Total Yeas: 20		Total Nays: 0			

Committee meeting was reported out: Tuesday, December 06, 2005 1:09:01PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

Bill No. 15B

COUNCIL/COMMITTEE ACTION

ADOPTED ☒ (Y/N)  
ADOPTED AS AMENDED ☐ (Y/N)  
ADOPTED W/O OBJECTION ☐ (Y/N)  
FAILED TO ADOPT ☐ (Y/N)  
WITHDRAWN ☐ (Y/N)  
OTHER ☐

Council/Committee hearing bill: Fiscal Council  
Representative(s) Brummer offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. (1) Notwithstanding s. 197.162, Florida Statutes, upon an affirmative vote of the governing body of any county that has been declared a major disaster area approved for individual assistance by the President of the United States, the property tax payment made by an owner of property in that county is eligible for an early-payment discount. The county governing body may adopt by emergency ordinance any or all of the following options for such discounts:

(a) Four percent for a payment made by January 31, 2006.

(b) Three percent for a payment made by February 28, 2006.

(c) Two percent for a payment made by March 31, 2006.

(2) The Tax Collector shall implement any discount period adopted under subsection (1). Subsection (1) does not apply to payments made on behalf of property owners by the holder or mortgagee of an unsatisfied mortgage, lienholder, or vendee under a contract for deed.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

(3) If the governing body of any county adopts a discount period as authorized in subsection (1) after tax notices have already been mailed for that tax year, no additional direct mail notice shall be necessary to notify taxpayers of the change. Notice by advertisement in a newspaper of general circulation and posting at all offices of the tax collector shall be sufficient notice.

(4) This act expires April 1, 2006.

Section 2. This act shall take effect upon becoming a law.

===== T I T L E   A M E N D M E N T =====

Remove the entire title and insert:

A bill to be entitled

An act relating to the payment of ad valorem taxes; allowing the governing body of a county that has been declared a major disaster area to adopt an ordinance extending the time in which property tax payments made by property owners qualify for early-payment discounts; providing options that counties may choose; providing that additional tax notices are not required; providing for expiration of the act; providing an effective date.



# COUNCIL MEETING REPORT

## Fiscal Council

12/6/2005 9:30:00AM

Location: Morris Hall (17 HOB)

HB 31B : Specialty License Plates

☒ Favorable With Committee Substitute -

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Loranne Ausley	X				
Gustavo Barreiro	X				
Aaron Bean	X				
Anna Holliday Benson	X				
Kim Berfield	X				
Donald Brown	X				
Frederick Brummer		X			
Don Davis	X				
Nancy Detert	X				
Ron Greenstein	X				
Wilbert Holloway	X				
Stan Mayfield			X		
Sheri McInvale	X				
Joe Pickens	X				
Juan-Carlos Planas	X				
Curtis Richardson	X				
Marco Rubio			X		
John Seiler	X				
David Simmons	X				
Leslie Waters	X				
Juan Zapata	X				
Joe Negron (Chair)	X				
Total Yeas: 19		Total Nays: 1			

### Appearances:

HB 31B

Bob McKee (Lobbyist) (State Employee) - Proponent

FL Assoc of Counties

100 S. Monroe

Tallahassee FL 32302

Phone: 850-922-4300

Committee meeting was reported out: Tuesday, December 06, 2005 1:09:01PM

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Print Date: 12/6/2005 1:16 pm

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

Bill No. 31B

COUNCIL/COMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/> (Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/> (Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/> (Y/N)
FAILED TO ADOPT	<input type="checkbox"/> (Y/N)
WITHDRAWN	<input type="checkbox"/> (Y/N)
OTHER	<input type="checkbox"/>

Council/Committee hearing bill: Fiscal Council

Representative(s) Patterson offered the following:

**Amendment**

Remove line(s) 21 and insert:

(a) Upon the NASCAR Hall of Fame, Inc., meeting the requirements  
of s.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (2)

Bill No. 31B

COUNCIL/COMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/> (Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/> (Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/> (Y/N)
FAILED TO ADOPT	<input type="checkbox"/> (Y/N)
WITHDRAWN	<input type="checkbox"/> (Y/N)
OTHER	<input type="checkbox"/>

Council/Committee hearing bill: Fiscal Council

Representative(s) Patterson offered the following:

**Amendment**

Remove line(s) 23-27 and insert:

as provided in this subsection. NASCAR license plates must bear

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (3)

Bill No. 31B

COUNCIL/COMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/> (Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/> (Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/> (Y/N)
FAILED TO ADOPT	<input type="checkbox"/> (Y/N)
WITHDRAWN	<input type="checkbox"/> (Y/N)
OTHER	<input type="checkbox"/>

Council/Committee hearing bill: Fiscal Council

Representative(s) Patterson offered the following:

**Amendment**

Remove line(s) 36 and insert:

Hall of Fame, Inc., to be used exclusively for the construction  
and

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# COUNCIL MEETING REPORT

## Fiscal Council

12/6/2005 9:30:00AM

Location: Morris Hall (17 HOB)

### HB 41B : Judges

☒ Favorable With Committee Substitute -

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Loranne Ausley	X				
Gustavo Barreiro	X				
Aaron Bean	X				
Anna Holliday Benson	X				
Kim Berfield	X				
Donald Brown	X				
Frederick Brummer	X				
Don Davis	X				
Nancy Detert	X				
Ron Greenstein	X				
Wilbert Holloway	X				
Stan Mayfield	X				
Sheri McInvale	X				
Joe Pickens	X				
Juan-Carlos Planas	X				
Curtis Richardson	X				
Marco Rubio			X		
John Seiler	X				
David Simmons	X				
Leslie Waters	X				
Juan Zapata	X				
Joe Negron (Chair)	X				
Total Yeas: 21		Total Nays: 0			

### Appearances:

HB 41B

Don Lamonica (Lobbyist) - Information Only

Public Defenders

101 W. Gadsden

Tallahassee FL

Phone: 850-224-8282

Committee meeting was reported out: Tuesday, December 06, 2005 1:09:01PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. 41B

COUNCIL/COMMITTEE ACTION

ADOPTED ✓ (Y/N)  
 ADOPTED AS AMENDED — (Y/N)  
 ADOPTED W/O OBJECTION — (Y/N)  
 FAILED TO ADOPT — (Y/N)  
 WITHDRAWN — (Y/N)  
 OTHER —

Council/Committee hearing bill: Fiscal Council

Representative(s) Goodlette offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Effective January 2, 2006, section 26.031, Florida Statutes, as amended by section 2 of chapter 2005-150, Laws of Florida, is amended to read:

26.031 Judicial circuits; number of judges.--The number of circuit judges in each circuit shall be as follows:

JUDICIAL CIRCUIT	TOTAL
(1) First .....	22
(2) Second .....	16
(3) Third .....	7
(4) Fourth .....	32
(5) Fifth .....	28
(6) Sixth. ....	44
(7) Seventh .....	26
(8) Eighth .....	13
(9) Ninth .....	40

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# HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

## Amendment No. 1

22	(10)	Tenth .....	26
23	(11)	Eleventh .....	77
24	(12)	Twelfth .....	19
25	(13)	Thirteenth .....	41
26	(14)	Fourteenth .....	10
27	(15)	Fifteenth .....	35
28	(16)	Sixteenth .....	4
29	(17)	Seventeenth .....	56
30	(18)	Eighteenth .....	25
31	(19)	Nineteenth .....	18
32	(20)	Twentieth .....	<u>25</u> <del>23</del>

33

34 Section 2. Effective January 2, 2006, section 34.022,  
 35 Florida Statutes, as amended by section 4 of chapter 2005-150,  
 36 Laws of Florida, is amended to read:

37 34.022 Number of county court judges for each county.--The  
 38 number of county court judges in each county shall be as  
 39 follows:

40

41	COUNTY	TOTAL
42	(1) Alachua .....	5
43	(2) Baker .....	1
44	(3) Bay .....	4
45	(4) Bradford .....	1
46	(5) Brevard .....	9
47	(6) Broward .....	28
48	(7) Calhoun .....	1
49	(8) Charlotte .....	2
50	(9) Citrus .....	1
51	(10) Clay .....	2

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

52	(11)	Collier .....	5 3
53	(12)	Columbia .....	1
54	(13)	DeSoto .....	1
55	(14)	Dixie .....	1
56	(15)	Duval .....	16
57	(16)	Escambia .....	5
58	(17)	Flagler .....	1
59	(18)	Franklin .....	1
60	(19)	Gadsden .....	1
61	(20)	Gilchrist .....	1
62	(21)	Glades .....	1
63	(22)	Gulf .....	1
64	(23)	Hamilton .....	1
65	(24)	Hardee .....	1
66	(25)	Hendry .....	1
67	(26)	Hernando .....	2
68	(27)	Highlands .....	1
69	(28)	Hillsborough .....	17
70	(29)	Holmes .....	1
71	(30)	Indian River .....	2
72	(31)	Jackson .....	1
73	(32)	Jefferson .....	1
74	(33)	Lafayette .....	1
75	(34)	Lake .....	3
76	(35)	Lee .....	7
77	(36)	Leon .....	5
78	(37)	Levy .....	1
79	(38)	Liberty .....	1
80	(39)	Madison .....	1
81	(40)	Manatee .....	4

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

82	(41)	Marion .....	4
83	(42)	Martin .....	3
84	(43)	Miami-Dade .....	42
85	(44)	Monroe .....	4
86	(45)	Nassau .....	1
87	(46)	Okaloosa .....	3
88	(47)	Okeechobee .....	1
89	(48)	Orange .....	16
90	(49)	Osceola .....	3
91	(50)	Palm Beach .....	18
92	(51)	Pasco .....	5
93	(52)	Pinellas .....	15
94	(53)	Polk .....	9
95	(54)	Putnam .....	2
96	(55)	St. Johns .....	2
97	(56)	St. Lucie .....	4
98	(57)	Santa Rosa .....	2
99	(58)	Sarasota .....	5
100	(59)	Seminole .....	6
101	(60)	Sumter .....	1
102	(61)	Suwannee .....	1
103	(62)	Taylor .....	1
104	(63)	Union .....	1
105	(64)	Volusia .....	10
106	(65)	Wakulla .....	1
107	(66)	Walton .....	1
108	(67)	Washington .....	1

Section 3. The judges filling new offices created by this act shall be appointed by the Governor.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Section 4. The sums of \$517,568 in recurring funds and \$20,214 in nonrecurring funds are appropriated from the General Revenue Fund to the circuit and county courts for the 2005-2006 fiscal year, and 9 full-time equivalent positions and 705,157 in approved salary rate are authorized. The sum of \$41,846 in recurring funds is appropriated from the General Revenue Fund to the Office of the State Attorney 20th Circuit for the 2005-2006 fiscal year, and 2 full-time equivalent positions and 58,791 in approved salary rate are authorized.

Section 5. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

===== T I T L E A M E N D M E N T =====

Remove Title and insert:

An act relating to judges; amending s. 26.031, F.S.; revising the number of circuit court judges in the 20th judicial circuit; amending s. 34.022, F.S.; revising the number of county court judges in Collier County; providing for the additional judges provided under the act to be appointed by the Governor; providing appropriations and authorizing positions and approved salary rate; providing effective dates.

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# COUNCIL MEETING REPORT

## Fiscal Council

12/6/2005 9:30:00AM

Location: Morris Hall (17 HOB)

HB 47B : Appropriation to Compensate Wilton Dedge

☒ Favorable With Committee Substitute -

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Loranne Ausley	X				
Gustavo Barreiro	X				
Aaron Bean	X				
Anna Holliday Benson	X				
Kim Berfield	X				
Donald Brown		X			
Frederick Brummer		X			
Don Davis	X				
Nancy Detert	X				
Ron Greenstein	X				
Wilbert Holloway	X				
Stan Mayfield	X				
Sheri McInvale	X				
Joe Pickens	X				
Juan-Carlos Planas	X				
Curtis Richardson	X				
Marco Rubio			X		
John Seiler	X				
David Simmons	X				
Leslie Waters	X				
Juan Zapata	X				
Joe Negron (Chair)	X				
Total Yeas: 19		Total Nays: 2			

Committee meeting was reported out: Tuesday, December 06, 2005 1:09:01PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. 47B

COUNCIL/COMMITTEE ACTION

ADOPTED ☒ (Y/N)  
ADOPTED AS AMENDED ☐ (Y/N)  
ADOPTED W/O OBJECTION ☐ (Y/N)  
FAILED TO ADOPT ☐ (Y/N)  
WITHDRAWN ☐ (Y/N)  
OTHER \_\_\_\_\_

Council/Committee hearing bill: Fiscal Council

Representative(s) Goodlette and Quinones offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. The facts stated in the preamble to this act are found and declared to be true.

Section 2. There is appropriated from the General Revenue Fund the sum of \$2,000,000 to the Department of Financial Services under the conditions provided in this act.

Section 3. The Chief Financial Officer is directed to draw a warrant to the Department of Financial Services in the sum of \$2,000,000 for the purposes provided in this act. After March 6, 2006, the Chief Financial Officer is no longer authorized to draw a warrant under this section.

Section 4. On behalf of the State of Florida, the Department of Financial Services is authorized to execute a qualified assignment within the meaning of section 130(c) of the Internal Revenue Code, with an assignee acceptable to Wilton Dedge. The Department of Financial Services is authorized to execute all necessary agreements to implement this act.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

23       Section 5. Tuition and fees shall be waived for up to a  
24 total of 120 hours of instruction at any career center  
25 established pursuant to s. 1001.44, F.S., at any community  
26 college established under part III of chapter 1004, F.S., or any  
27 state university. For any educational benefit made, Wilton  
28 Dedge is required to meet and maintain the regular admission  
29 requirements of, and be registered at, such career center,  
30 community college, or state university and make satisfactory  
31 academic progress as defined by the educational institution in  
32 which the claimant is enrolled.

33       Section 6. The Chief Financial Officer shall execute the  
34 qualified assignment agreement as required by this act upon  
35 delivery by Wilton Dedge to the Chief Financial Officer, the  
36 Department of Financial Services, the President of the Senate,  
37 and the Speaker of the House of Representatives of all of the  
38 following:

39       (1) An executed release and waiver on behalf of Wilton  
40 Dedge and his parents, heirs, successors, and assigns forever  
41 releasing the State of Florida and any agency, instrumentality,  
42 officer, employee, or political subdivision thereof or any other  
43 entity subject to the provisions of s. 768.28, Florida Statutes,  
44 from any and all present or future claims, or declaratory relief  
45 the claimant or any of his parents, heirs, successors, or  
46 assigns may have against such enumerated entities and arising  
47 out of the factual situation in connection with the conviction  
48 for which compensation is awarded. However, declaratory action  
49 to obtain judicial expungement of Wilton Dedge's judicial and  
50 executive branch records as otherwise provided by law, is not  
51 prohibited by this act.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

53        (2) An order from the court having jurisdiction of the  
54        legal claim filed by Wilton Dedge and his parents dismissing the  
55        claim with prejudice.

56        Section 7. The Legislature shall not be deemed by this act  
57        to have waived any defense of sovereign immunity or to have  
58        increased the limits of liability on behalf of the state or any  
59        person or entity subject to the provisions of s. 768.28, Florida  
60        Statutes, or any other law.

61        Section 8. This award is intended to provide the sole  
62        compensation for any and all present and future claims arising  
63        out of the factual situation in connection with Wilton Dedge's  
64        conviction and imprisonment. No further award for attorney's  
65        fees, lobbying fees, costs, or other similar expenses will be  
66        made by the state.

67        Section 9. This act shall take effect upon becoming a law.

68  
69        ===== T I T L E   A M E N D M E N T =====

70        Remove the entire title and insert:

71                    A bill to be entitled

72        An act providing an appropriation to compensate Wilton  
73        Dedge; providing authority to draw warrant; providing a  
74        limitation on the authority to draw the warrant; requiring  
75        the execution of a specified assignment; providing for  
76        waiver of specified tuition and fees; providing  
77        conditions for payment; providing legislative intent;  
78        providing an effective date.

79  
80        WHEREAS, Wilton Dedge was convicted of rape and imprisoned  
81        for 22 years, and

82        WHEREAS, the initial conviction was appealed and reversed,  
83        and

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

84 WHEREAS, on retrial Wilton Dedge was again convicted, which  
85 conviction was affirmed on appeal, and

86 WHEREAS, the Circuit Court in the Eighteenth Judicial  
87 Circuit granted the state's motion to dismiss pending charges  
88 and discharge Wilton Dedge from custody based on DNA evidence  
89 that excluded Wilton Dedge as the perpetrator of the crime, and

90 WHEREAS, Wilton Dedge was in fact released on August 12,  
91 2004, and

92 WHEREAS, Wilton Dedge and his parents filed suit in the  
93 Second Judicial Circuit requesting, among other things, a  
94 declaratory judgment that Mr. Dedge's liberty was taken by the  
95 government without compensation and requesting damages for the  
96 taking of Mr. Dedge's liberty, and

97 WHEREAS, the suit was dismissed by order of the Second  
98 Judicial Circuit court, which found that claims for damages from  
99 the state are banned by the doctrine of sovereign immunity, and  
100 that only the Legislature can address the issue of compensation  
101 under existing law, and

102 WHEREAS, Wilton Dedge has appealed the order to the First  
103 District Court of Appeal, Case No. 1D05-4288, and

104 WHEREAS, the Legislature recognizes that no system of  
105 justice is impervious to human error. "Given the myriad  
106 safeguards provided to assure a fair trial, and taking into  
107 account the reality of the human fallibility of the  
108 participants, there can be no such thing as an error-free,  
109 perfect trial, and ... the Constitution does not guarantee such  
110 a trial." United States v. Hasting, 461 U.S. 499(1983), and

111 WHEREAS, the Legislature acknowledges that the state's  
112 system of justice yielded an imperfect result with tragic  
113 consequences in this case, and

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

114 WHEREAS, the Legislature acknowledges that Wilton Dedge  
115 incurred significant damages unique to Wilton Dedge as a result  
116 of his conviction and physical confinement and that all the  
117 damages flowed from the fact that he was physically restrained  
118 and prevented from exercising the freedom to which all innocent  
119 citizens are entitled, and

120 WHEREAS, the Legislature acknowledges that Wilton Dedge  
121 performed valuable services for the state while imprisoned,  
122 including serving as a licensed waster water plant operator, and

123 WHEREAS, the Legislature acknowledges that Wilton Dedge's  
124 parents incurred significant expenses related to his defense and  
125 related to the prolonged efforts to establish his innocence and  
126 secure his release from prison, and

127 WHEREAS, the Legislature is providing compensation to  
128 Wilton Dedge to acknowledge the fact that he suffered  
129 significant damages unique to Wilton Dedge which resulted from  
130 his physical restraint and the deprivation of freedom, and

131 WHEREAS, the Legislature is providing compensation to  
132 Wilton Dedge based on a moral desire to acknowledge his  
133 undisputed and actual innocence and not on a recognition of a  
134 constitutional right or violation, and

135 WHEREAS, the Legislature intends that compensation made  
136 pursuant to this act shall be the sole compensation to be  
137 provided by the state for any and all present and future claims  
138 arising out of the factual situation in connection with Wilton  
139 Dedge's conviction and imprisonment, and

140 WHEREAS, the Legislature apologizes to Wilton Dedge on  
141 behalf of the state, NOW, THEREFORE,  
142



# COUNCIL MEETING REPORT

## Fiscal Council

12/6/2005 9:30:00AM

**Location:** Morris Hall (17 HOB)

### Summary:

#### Fiscal Council

*Tuesday December 06, 2005 09:30 am*

HB 1B	Temporarily Deferred	
HB 3B CS	Favorable	Yeas: 17 Nays: 4
HB 15B	Favorable With Committee Substitute	Yeas: 20 Nays: 0
HB 31B	Favorable With Committee Substitute	Yeas: 19 Nays: 1
HB 41B	Favorable With Committee Substitute	Yeas: 21 Nays: 0
HB 47B	Favorable With Committee Substitute	Yeas: 19 Nays: 2

Committee meeting was reported out: Tuesday, December 06, 2005 1:09:01PM